

NURSING BOARD[655]

Notice of Intended Action

Proposing rule making related to removal of licensure sanctions for nonpayment of student debt and providing an opportunity for public comment

The Board of Nursing hereby proposes to amend Chapter 17, “Nonpayment of Child Support, Student Loan, or State Debt,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 17A.3 and section 272C.4 as amended by 2019 Iowa Acts, Senate File 304.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 272C.4(10) as amended by 2019 Iowa Acts, Senate File 304.

Purpose and Summary

2019 Iowa Acts, Senate File 304, amends Iowa Code section 272C.4 and removes the requirement that licensing boards impose discipline against a licensee who has defaulted on a repayment or service obligation under any federal or state educational loan or service-conditional scholarship program. This proposed rule making rescinds the rules in Division II of Chapter 17, which implement the prior requirement that the Board discipline a licensee for nonpayment of a student loan. This proposed rule making also renumbers subsequent rules accordingly.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 655—Chapter 15.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on September 3, 2019. Comments should be directed to:

Kathy Weinberg
Iowa Board of Nursing
400 S.W. Eighth Street, Suite B
Des Moines, Iowa 50309
Email: kathy.weinberg@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 13, 2019
9 to 10 a.m.

Board Office, Suite B
400 S.W. Eighth Street
Des Moines, Iowa

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend **655—Chapter 17**, title, as follows:

NONPAYMENT OF CHILD SUPPORT, ~~STUDENT LOAN~~, OR STATE DEBT

ITEM 2. Rescind **655—Chapter 17**, Division II heading.

ITEM 3. Rescind rules **655—17.4(261)** to **655—17.6(261)**.

ITEM 4. Amend **655—Chapter 17**, Division III heading, as follows:

DIVISION ~~III~~ II
NONPAYMENT OF STATE DEBT

ITEM 5. Renumber rules **655—17.7(272D)** to **655—17.9(272D)** as **655—17.4(272D)** to **655—17.6(272D)**.

ITEM 6. Amend renumbered rule 655—17.4(272D), introductory paragraph, as follows:

655—17.4(272D) Definitions. The following definitions shall apply to rules ~~17.8(272D) and 17.9(272D)~~ of this chapter 655—17.5(272D) and 655—17.6(272D).

ITEM 7. Amend **655—Chapter 17**, implementation sentence, as follows:

These rules are intended to implement Iowa Code chapters 252J, ~~261~~, and 272D.